

SJ-EXHIBIT 45

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4
5 IN RE: NATIONAL PRESCRIPTION)
6 OPIATE LITIGATION)
7) MDL No. 2804
8 THIS DOCUMENT RELATES TO:) Case No. 17-md-2804
9)
10 Track Three Cases)
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15 VIDEOTAPED DEPOSITION OF DEMETRA ASHLEY
16 Conducted via Zoom
17 Chicago, Illinois

18 *Thursday, March 11th, 2021*

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24 REPORTED BY: GREG S. WEILAND, CSR, RMR, CRR
25 JOB NO.: 4486738

1 Q. The pharmacist might check the State
2 Prescription Drug Monitoring Program to see if the
3 patient has been filling similar prescriptions at
4 other pharmacies.

5 Would you agree with that?

6 A. I agree.

7 Q. Would you agree that checking the State
8 Prescription Drug Monitoring Program may be required
9 depending on state law?

10 A. I agree.

11 Q. Would you agree with me that the
12 pharmacist might document what she did, particularly
13 if she thinks there is a red flag on a prescription?

14 A. I agree.

15 Q. Would you agree with me that there is no
16 DEA requirement that the pharmacist document the
17 steps she takes to resolve a red flag before filling
18 a prescription?

19 A. A federal requirement, no, I don't think
20 there is. That they document it, that's what you're
21 asking me?

22 Q. Yes, that's what I'm asking.

23 A. Yeah.

24 Q. There is no federal requirement to
25 document the resolution of red flags; is that what

1 you said?

2 A. To document the resolution, not that I can
3 recall, no.

4 Q. The pharmacist might look at a
5 prescription for an unusual quantity or a
6 combination of drugs and determine, based on her
7 knowledge of that patient, that the prescription
8 presents no issues.

9 Would you agree with that?

10 A. Based on her knowledge of that patient?

11 Q. Yes.

12 A. That they may decide to fill the
13 prescription? Yeah, that's possible, yes.

14 Q. The pharmacist might determine that there
15 is not a red flag on that prescription based on her
16 knowledge of the patient, the doctor, or other
17 circumstances.

18 Would you agree with that?

19 A. I agree.

20 Q. In the pharmacist's professional judgment,
21 she might determine that the prescription is
22 legitimate and appropriately fill it, even if it is
23 for a large quantity of opioids.

24 Would you agree with that?

25 A. Based on other knowledge?